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Conversation: Spyware Workshop - Comment, P044509
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I would like strict regulations in place governing the use of spyware and adware and the imposition of effective civil and criminal penalties.

Victims, too, should be able to collect damages from companies engaging in this practice if the software they used:

1. affected the computer in such a way as to slow down its efficiency,
2. compromised its data,
3. caused any malfunction to the system,
4. conflicted with other software installed by the owner,
5. caused any loss of the owner's data,
6. caused loss of the owner's time to correct any of the above,
7. caused loss of the owner's time and computer resources due to unsolicited e-mail originating with the program,
8. caused the owner to have to pay someone to correct any of the above,
9. plus penalties for inconvenience, invasion of privacy, and infringement of individual rights.

In addition some sort of informed consent clause(s) should be included with optionally downloadable programs which offer a service (such as local weather reports) but will, as part of the download, include any kind of spyware, adware, or interaction with their sponsors or affiliates. These programs should:

1. disclose, in clear and unambiguous language, each way in which the owner of the computer will be made to "pay" for the use of their program. Such as "a program called xyz will be downloaded to your computer which will track your movements on the web" or "your e-mail will be made available to all our affiliates", etc. (To-the-point language such as the "smoking will cause cancer" language on cigarette boxes, not fancy run-arounds like "to better serve your needs xyz will....")
2. require the person downloading the program to place a checkmark by each one of these clear disclosures instead of just checking once on the "I agree" tab after a long & unreadable document in which all of the above might have been hidden (or not) before they download.

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